

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PRESIDENT DONALD J. TRUMP, 45th President of the United States of America, in his individual capacity,

Plaintiff,

v.

SIMON & SCHUSTER, INC., a New York corporation, ROBERT WOODWARD p.k.a. BOB WOODWARD, an individual, and PARAMOUNT GLOBAL, a Delaware corporation, f/k/a Viacom Inc., successor by merger to CBS Corporation, a Pennsylvania corporation f/k/a Westinghouse Electric Corporation,

Defendants.

3:23-cv-06883- PGG

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Declaration of Elizabeth A. McNamara dated November 22, 2023 and attached exhibits, and all prior pleadings herein, Defendants Robert Woodward, Simon & Schuster, LLP, and Paramount Global (collectively, “Defendants”) by and through their undersigned counsel, will move this Court before the Honorable Paul G. Gardephe at the Thurgood Marshall United States Courthouse at 40 Foley Square, New York, New York, for an order dismissing Plaintiff Donald J. Trump’s Second Amended Complaint with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6).

Pursuant to the order dated November 8, 2023, Dkt. 68, any opposition by Plaintiff must be served by November 30, 2023, and any reply by Defendants must be served by December 6, 2023. The parties will subsequently file their respective motion papers in compliance with this Court’s Individual Rule IV.C.

Dated: November 22, 2023

DAVIS WRIGHT TREMAINE LLP

/s/ Elizabeth A. McNamara

Elizabeth A. McNamara
Linda J. Steinman
John M. Browning
Leena M. Charlton
1251 Avenue of the Americas, 21st Floor
New York, NY 10020
Phone: (212) 489-8230
Email: lizmcnamara@dwt.com
lindasteinman@dwt.com
jackbrowning@dwt.com
leenacharlton@dwt.com

Attorneys for Robert Woodward, Simon & Schuster, Inc. and Paramount Global

WILLIAMS & CONNOLLY*

Kevin T. Baine
Thomas G. Hentoff (*pro hac vice* forthcoming)

680 Maine Avenue SW
Washington, DC 20024
Phone: (202) 434-5804

Email: kbaine@wc.com
thentoff@wc.com

**Of counsel to Robert Woodward*

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2023, I caused copies of the foregoing to be sent to counsel of record via electronic mail, which was stipulated by the parties to be sufficient service.

/s/ Elizabeth A. McNamara
Attorney